

U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION/SITUATION REPORT
Compounders Inc Site - Removal Polrep



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region II

Subject: POLREP #2
Progress
Compounders Inc Site
A2B7
Howell Twp, NJ
Latitude: 40.1887322 Longitude: -74.1682375

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From: Michael Mannino, OSC

Date: 4/14/2023

Reporting Period: 03/15/2023-04/13/2023

1. Introduction

1.1 Background

Site Number:	A2B7	Contract Number:	68HE0220D0003
D.O. Number:	23F0018	Action Memo Date:	
Response Authority:	CERCLA	Response Type:	Time-Critical
Response Lead:	EPA	Incident Category:	Removal Action
NPL Status:	Non NPL	Operable Unit:	
Mobilization Date:	2/17/2023	Start Date:	2/16/2023
Demob Date:		Completion Date:	
CERCLIS ID:	A2B7	RCRIS ID:	
ERNS No.:		State Notification:	23-02-09-1404
FPN#:		Reimbursable Account #:	

1.1.1 Incident Category

On February 9, 2023, Howell Township Fire Departments were dispatched to 15 Marl Road to perform a smoke investigation after calls reporting smoke in the area. Upon arriving, it was reported that the local fire

departments discovered ongoing burning of materials inside of a large steel structure in which a door had been cut, often referred to as the "old still". Firefighters were able to extinguish the fire.

1.1.2 Site Description

The Site is the former location of Compounders Inc. According to a draft Preliminary Assessment/Site Investigation (PA/SI) dated October 2017, conducted by a Licensed Site Remediation Professional (LSRP) contracted by Compounders Inc., this location was used as a fiber manufacturer from 1923 until the early 1930s. In the 1933, the property ownership was transferred to Monmouth County Feed and Coal Company which operated until 1973, when Compounders Inc. acquired the property. Based on verbal discussion with Howell Township Office of Emergency Management (HTOEM) and the draft October 2017 PA/SI, Compounders Inc. had historically manufactured various chemical compounds, allegedly for use in glues and adhesives, as well as asphalt products. Compounders Inc. remained in business until 2019.

According to county tax records, the property is 7.77 acres in size, but the area of interest is confined to a smaller section of the property closest to Marl Road. The property has two single-story structures, one which appears to be an office and the other which appears to have been a former warehouse and small laboratory. There is also various machinery that remains on-site that is associated with former asphalt operations.

1.1.2.1 Location

The Site is located at 15 Marl Drive in Howell Township, New Jersey, in Monmouth County New Jersey. The surrounding area appears to be mixed residential, commercial, and industrial area. The nearest residences are located directly to the north of the property, commercial properties are located directly to the east and south of the property, and a Jersey Central Power & Light (JCP&L) property is located directly to the west of the property. The parcel on which Compounders Inc. sits is the final parcel before entering the Borough of Farmingdale, an incorporated borough within Howell Township.

1.1.2.2 Description of Threat

The initial threat was the fire that occurred on February 9, 2023. Once extinguished, EPA, New Jersey Department of Environmental Protection (NJDEP), Monmouth County Health Department (MCHD), and HTOEM identified containers, in varying degrees of deteriorated condition, of unknowns, and including but not limited to, toxics, flammables, and corrosives. The storage of these containers does not appear to follow any proper methodology and incompatibles may be stored adjacent to each other. In addition to the threat of exposure to hazardous materials, the operational portion of the property was not fully secured at the time of the original incident. The front gate was damaged due to construction activity on the former warehouse structure on the property. The remaining sides of the property were not fenced in during the initial incident, allowing the potential for members of the public or wildlife access to the property and disturb the improperly stored and deteriorated containers.

Prior to the February 9, 2023 incident, no assigned EPA ID number existed for the site and no Hazardous Waste Generator Program Interest (PI) is listed in New Jersey Emergency Management System (NJEMS).

The only record of NJDEP Bureau of Hazardous Waste Compliance and Enforcement (DEPHW) inspecting the site was on September 12, 2002. On June 6, 2002, MCHD reported a chemical fire at Compounders Inc. property due to a reaction of epoxy. Runoff contamination was observed. Mineral spirits, flammable liquids, and caustic materials were allegedly involved in the fire. Local fire departments extinguished the fire; however, a release of contaminated water was ongoing onto the road and wetlands because of firefighting efforts.

Once the June 2002 fire was extinguished and the Site was secured, NJDEP Bureau of Emergency Response (DEPBER) South found stacks of drums of chloroethene, xylene, polybutene, foam master, trichloroethane, Tenlo-70 (pigment grinding aid), and glycerin (USP). Additionally, drums of oily materials were observed leaking on to the ground. DEBER personnel and local health officials pointed out several drums were in such poor condition that many were at the point of rupturing. During the 2002 visit by NJDEP personnel, responders identified over two hundred-fifty drums that need reconditioning or transferring of material.

In 2009, the state of New Jersey passed the Site Remediation Reform Act (SRRA) and established the License Site Remediation Professional (LSRP) program which went into full effect May 7, 2012. The primary goal of the LSRP program is to reduce the threat of contamination to public health and the environment by cleaning up the properties and returning them to productive use. As a part of them program, the owner of a contaminated property must retain a LSRP to provide services to oversee the environmental investigation and cleanup of the property. The property owned by Compounders Inc. located at 15 Marl Road is subject to the LSRP program and appears to have retained a LSRP in December 2012, according to NJDEP Data Miner records; however, the initial LSRP was dismissed in April 2016. Since 2016, LSRP services were dismissed and retained two more times, and the current LSRP was retained on June 28, 2022. According to NJDEP Data Miner records the Compounders Inc Site was assigned the Program Interest (PI) Number G000028569, and the Site Identification Number (ID) 4679. At this time, the NJDEP Data Miner records do not indicate the submittal of any required documents such as a Remedial Investigation Report (RIR) or Remedial Action Report (RAR). The draft October 2017 PA/SI never appears to have been submitted to the NJDEP for review.

1.1.3 Preliminary Removal Assessment/Removal Site Inspection Results

At the request of NJDEP, US EPA, Region II's Superfund and Emergency Management Division (SEMD) activated one On-Scene Coordinator (OSC), who responded to the scene on February 15, 2023. Once on the Site, the OSC issued the property representative a Notice of Federal Interest (NOFI). The OSC was informed by state and local officials of the fire that occurred in the still smoldering structure. The cause of the fire is being investigated by state and local authorities. At this time, it is unknown what the burned drums contained.

During a preliminary site walk, guided by state and local authorities, the responding OSC observed a large quantity of drums and containers stored haphazardly and in varying condition. The EPA observations confirmed the historic observations and verbal description of threats provided by the state and local authorities.

2. Current Activities

2.1 Operations Section

2.1.1 Narrative

During a subsequent site visit on February 17, 2023, the EPA provided the property representative with a paper copy, as well as an electronic copy via email, of a Consent to Access Property form. As of March 9, 2023, EPA Region 2 Office of Regional Council (ORC) was provided an executed Consent to Access Property form by the property representative's counsel.

According to telephone correspondence with the PRP, EPA was notified on March 20, 2023 that PRP received a completed cost estimate from AWT Environmental Services, Inc. The OSC had further telephone discussions with the PRP and the LSRP and was notified that further cost estimate options were being explored.

On March 21, 2023, EPA and NJDEP attended a public outreach meeting that was coordinated by Howell Township. The purpose of the meeting was to address concerns that residents may have regarding the recent incident at the Compounders Inc. property as well as an evacuation plan for one mile around the Compounders Inc. property developed by HTOEM in late February 2023. The purpose of the evacuation plan was intended to be proactive in the event of a subsequent fire or other catastrophic event at the site. Subsequently, Howell Township shared the plan on their municipal website and social media pages; the meeting was also meant to address residents' concerns about the evacuation plan.

The initial Consent to Access Property form signed on March 9, 2023 was limited to only provide access to EPA for oversight of the fence installation and site walks with PRP contractors for the purpose of cost estimate development. EPA ORC determined that, due to the emergent nature of the situation at the Compounders Inc. Site and the liability clause under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), EPA had intended to allow the PRP to conduct the removal action themselves, a limited Consent to Access Property form was acceptable to begin to remedy the security concerns and hazards to human health and the environment. However, with the concerns shared at the public meeting on March 21, 2023, the PRP's concerns with the potential cost of a removal action, SEMD and ORC determined that the PRP was not able to conduct the removal action themselves. ORC had contacted the PRP's counsel on March 31 and April 3, 2023 to share the EPA's intent and that if the PRP did not sign a Consent to Access Property, ORC would pursue other legal options. On April 4, 2023 the PRP's counsel provided an executed Consent to Access Property to ORC allowing EPA to conduct the assessment and removal action.

2.1.2 Response Actions to Date

USEPA's ERRS contractor was verbally activated on the afternoon of February 17, 2023 and was directed to retain a 24-hour security service to monitor the site until such a time that a fence can be erected. As of 1700 hours on February 17, 2023, the security contractor was on-site. This security service is to remain at the Site until such a time that the property owner establishes a fence, or EPA takes over the removal action.

On Monday March 13, 2023, the EPA OSC met the PRP, LSRP RLG Environmental, Inc., and the removal contractor, AWT Environmental Services, Inc., at the Site to conduct a site walk for the purpose of developing a cost estimate for the PRP-led removal action.

On March 21, 2023, EPA was present on-site while the PRP's LSRP oversaw a fence installation conducted by a contractor retained by the PRP. Fence installation around the main area of concern, the former production area where the drums and containers are haphazardly stored, was completed on March 22, 2023.

On April 5, 2023 EPA mobilized a response manager from the Emergency and Rapid Response Services (ERRS) contract to conduct a site walk and begin planning the necessary actions, personnel, and equipment for an EPA-led assessment of the site and removal action. Later that evening, representatives from EPA, NJDEP, MCHD, and Howell Township attended a public outreach meeting coordinated and hosted by Farmingdale Borough. Many of the same concerns brought up at the March 21, 2023 public outreach meeting hosted by Howell Township were brought up at the Farmingdale meeting. In addition to addressing residents' concerns, EPA shared that the agency has received an executed Consent to Access Property form and intends to conduct the removal action.

On April 7, 2023 EPA activated our Superfund Technical Assessment and Response Team (START) contractor and began coordinating the support necessary for conducting an EPA-led removal action. On April 10, 2023, EPA met START contractors at the Site to conduct background air monitoring prior to the arrival of the ERRS contractors. EPA directed START to establish four perimeter air monitoring stations, and two off-site air monitoring stations. The first off-site location was established near the Farmingdale Elementary School and the second location was established near the Howell Township High School.

On April 11, 2023, ERRS contractors arrived on-site and began staging the site in order to safely and efficiently conduct assessment and removal action activities. Once immediate physical hazards were removed from the potential work areas, ERRS established a poly-lined containment area within the warehouse on the property. Once the containment area was established, ERRS began moving the small “lab pack” materials, which were originally located in the “laboratory” and moved outside by the PRP, into the containment area. These materials will be secured within the warehouse, out of the elements, and will undergo field analysis, colloquially known as “HAZCAT”, to determine the contents of these smaller containers.

2.1.3 Enforcement Activities, Identity of Potentially Responsible Parties (PRPs)

EPA has and will continue to identify PRPs. Enforcement activities are ongoing.

2.1.4 Progress Metrics

Waste Stream	Medium	Quantity	Manifest #	Treatment	Disposal

2.2 Planning Section

2.2.1 Anticipated Activities

EPA anticipates ERRS conducting HAZCAT analysis and submitting samples for laboratory analysis to characterize the contents of drums and containers at the site. If the drum or container holds an identified hazardous material, but the container itself is in no condition to be shipped in, ERRS will conduct a material transfer into a new Department of Transportation (DOT) approved shipping container to be sent off-site for disposal. If a drum or container is damaged, but enclosed and intact, ERRS will overpack the container to be shipped off-site for disposal. START contractors will continue to conduct air monitoring activities and conduct site documentation. Part of the site documentation activities will be to receive the HAZCAT sheets from ERRS chemists, enter the information on the sheet into a Survey123 form, which can then be stored in a database. Once a container’s information is stored within the database, a barcode can be assigned and applied to the associated container. This barcode will allow field staff to quickly bring up the information of the container’s contents. ERRS chemists can also use filtering tools available through a suite of Esri products to develop a bulking scheme based on the field HAZCAT results.

EPA anticipates utilizing START to conduct Unmanned Aircraft System (UAS) surveys of the Site to document specific work areas as well as document progress of the removal action.

Site security will remain on-site when EPA and their contractors are not conducting assessment or removal activities.

2.2.1.1 Planned Response Activities

EPA Plans on conducting a fund-led removal action to secure any damaged or leaking containers at the property, overpack or transfer the materials to DOT approved shippable containers, and shipped off-site for proper disposal.

2.2.1.2 Next Steps

Coordinate site actions described in 2.2.1 Anticipated Activities.

2.2.2 Issues

None currently.

2.3 Logistics Section

No information available currently.

2.4 Finance Section

2.4.1 Narrative

A confirmation of verbal was submitted to the SEMD director on February 16, 2023 for \$500,000, \$450,000 of which is for mitigation contracting.

Estimated Costs *

	Budgeted	Total To Date	Remaining	% Remaining

Extramural Costs				
ERRS - Cleanup Contractor	\$450,000.00	\$54,317.00	\$395,683.00	87.93%
Intramural Costs				
Total Site Costs	\$450,000.00	\$54,317.00	\$395,683.00	87.93%

* The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data which the OSC must rely upon may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

2.5 Other Command Staff

EPA is coordinating efforts with Howell Township, the Borough of Farmingdale, Monmouth County Health Department, NJDEP and the PRP.

2.5.1 Safety Officer

2.5.2 Liaison Officer

2.5.3 Information Officer

3. Participating Entities

3.1 Unified Command

3.2 Cooperating Agencies

New Jersey Department of Environmental Protection, Monmouth County Health Department, local governments of Howell Township and the Borough of Farmingdale

4. Personnel On Site

Security contractor retained through an EPA ERRS sub-contract during non-working hours, EPA, ERRS contractors, and START contractors.

5. Definition of Terms

No information available at this time.

6. Additional sources of information

6.1 Internet location of additional information/report

response.epa.gov/CompoundersInc

6.2 Reporting Schedule

Weekly POLREPs will be submitted and distributed Fridays.

7. Situational Reference Materials

No information available at this time.